

U.S. District Court
Western District of North Carolina (Charlotte)
CIVIL DOCKET FOR CASE #: 3:20-cv-00540-RJC-DSC

Cirillo v. Citrix Systems, Inc.
Assigned to: District Judge Robert J. Conrad, Jr
Referred to: Magistrate Judge David S. Cayer
Cause: 29:201 Fair Labor Standards Act

Date Filed: 09/29/2020
Jury Demand: Plaintiff
Nature of Suit: 710 Labor: Fair Standards
Jurisdiction: Federal Question

Plaintiff

Danielle Cirillo
*on behalf of herself and all others similarly
situated*

represented by **Gilda Adriana Hernandez**
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V.

Defendant

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Date Filed	#	Docket Text
09/29/2020	<u>1</u>	COMPLAINT against Citrix Systems, Inc. with Jury Demand (Filing fee \$ 400 receipt number 0419-4691533), filed by Danielle Cirillo. (Attachments: # <u>1</u> Cover Sheet, # <u>2</u> Exhibit A – Notice and Consent to File Suit as Named Plaintiff)(Hernandez, Gilda) Modified to delete extra wording on 9/30/2020 (js). (Entered: 09/29/2020)
09/29/2020	<u>2</u>	NOTICE of Filing of Consent to Join Suit as Party Plaintiff by Danielle Cirillo (Attachments: # <u>1</u> Exhibit A – Consent to Join Suit – Stiles, Sabrina)(Hernandez, Gilda) (Entered: 09/29/2020)
09/29/2020	<u>3</u>	Corporate Disclosure Statement by Danielle Cirillo (Hernandez, Gilda) (Entered: 09/29/2020)
09/29/2020	<u>4</u>	NOTICE of Appearance by Gilda Adriana Hernandez on behalf of Danielle Cirillo (Hernandez, Gilda) (Entered: 09/29/2020)
09/29/2020	<u>5</u>	NOTICE of Appearance by Charlotte Claire Smith on behalf of Danielle Cirillo (Smith, Charlotte) (Entered: 09/29/2020)
09/29/2020	<u>6</u>	NOTICE of Appearance by Robert Wesley Thayer Tucci on behalf of Danielle Cirillo (Tucci, Robert) (Entered: 09/29/2020)
09/29/2020	<u>7</u>	Case assigned to District Judge Robert J. Conrad, Jr and Magistrate Judge David S. Cayer. Notice: You must click this link to retrieve the Case Assignment Packet . <i>This is your only notice – you will not receive a separate document.</i> (js) (Entered: 09/30/2020)
09/30/2020	<u>7</u>	Summons Issued Electronically as to Citrix Systems, Inc.. NOTICE: Counsel shall print the summons and serve with other case opening documents in accordance with Fed.R.Civ.P.4 . (js) Modified date filed on 10/1/2020 (eef). (Entered: 09/30/2020)
10/01/2020	<u>8</u>	AMENDED COMPLAINT <i>Collective and Class Action</i> with Jury Demand against Citrix Systems, Inc., filed by Danielle Cirillo.(Hernandez, Gilda) (Entered: 10/01/2020)
10/13/2020	<u>9</u>	AFFIDAVIT of Service filed by Danielle Cirillo. Citrix Systems, Inc. served on 10/2/2020, answer due 10/23/2020. (Attachments: # <u>1</u> Exhibit A – Proof of Service of Summons on Defendant Citrix Systems, Inc.)(Hernandez, Gilda) (Entered: 10/13/2020)
10/21/2020	<u>10</u>	MOTION for Extension of Time to Answer re: <u>8</u> Amended Complaint by Citrix Systems, Inc.. (Smith, Frederick). Motions referred to David S. Cayer. (Entered: 10/21/2020)
10/21/2020	<u>11</u>	Corporate Disclosure Statement by Citrix Systems, Inc. (Smith, Frederick) (Entered: 10/21/2020)
10/21/2020	<u>11</u>	TEXT-ONLY ORDER granting <u>10</u> Motion for Extension of Time to Answer. Citrix Systems, Inc. answer due 11/13/2020. So Ordered. Entered by Magistrate Judge David S. Cayer on 10/21/2020. (DLG) (Entered: 10/21/2020)
11/13/2020	<u>12</u>	MOTION to Dismiss <i>or Transfer Under 28 U.S.C. Section 1406(A) or, Alternatively, Transfer Under 28 U.S.C. Section 1404(A)</i> by Citrix Systems, Inc.. Responses due by 11/30/2020 (Attachments: # <u>1</u> Memorandum of Law in Support of its Motion to Dismiss, # <u>2</u> Affidavit A – Declaration of Lee Ruderman) (Smith, Frederick). Motions referred to David S. Cayer. (Entered: 11/13/2020)
11/24/2020	<u>13</u>	Unopposed MOTION for Extension of Time to File Response/Reply re: <u>12</u> MOTION to Dismiss <i>or Transfer Under 28 U.S.C. Section 1406(A) or, Alternatively, Transfer Under 28 U.S.C. Section 1404(A)</i> by Danielle Cirillo. Responses due by 12/8/2020 (Attachments: # <u>1</u> Proposed Order) (Hernandez, Gilda). Motions referred to David S. Cayer. (Entered: 11/24/2020)

11/24/2020	<u>I</u>	TEXT-ONLY ORDER granting <u>13</u> Motion for Extension of Time to File Response/Reply re <u>12</u> MOTION to Dismiss or Transfer Under 28 U.S.C. Section 1406(A) or, Alternatively, Transfer Under 28 U.S.C. Section 1404(A). Responses due by 12/11/2020. So Ordered. Entered by Magistrate Judge David S. Cayer on 11/24/2020. (DLG) (Entered: 11/24/2020)
12/08/2020	<u>I</u> <u>14</u>	RESPONSE in Opposition re <u>12</u> MOTION to Dismiss or Transfer Under 28 U.S.C. Section 1406(A) or, Alternatively, Transfer Under 28 U.S.C. Section 1404(A) by Danielle Cirillo. Replies due by 12/15/2020 (Attachments: # <u>1</u> Exhibit 1 – Plaintiff's Citrix Earning Statement, # <u>2</u> Exhibit 2 – Plaintiffs' Offer of Employment Letters, # <u>3</u> Exhibit 3 – Citrix's LinkedIn Advertisement for Jobs in Charlotte, NC, # <u>4</u> Exhibit 4 – Citrix's Interactive Website, # <u>5</u> Exhibit 5 – Citrix Statewide IT Contract, # <u>6</u> Exhibit 6 – Declaration of Named Plaintiff Danielle Cirillo, # <u>7</u> Exhibit 7 – Declaration of Opt-In Plaintiff Sabrina Stiles, # <u>8</u> Exhibit 8 – Citrix Code of Conduct, # <u>9</u> Exhibit 9 – Administrative Office of the United States Courts, U.S. District Courts–Combined Civil and Criminal Federal Court Management Statistics (June 30, 2020))(Hernandez, Gilda) (Entered: 12/08/2020)
12/09/2020	<u>I</u> <u>15</u>	Unopposed MOTION for Extension of Time to File Response/Reply re: <u>12</u> MOTION to Dismiss or Transfer Under 28 U.S.C. Section 1406(A) or, Alternatively, Transfer Under 28 U.S.C. Section 1404(A) by Citrix Systems, Inc.. Responses due by 12/23/2020 (Attachments: # <u>1</u> Proposed Order) (Smith, Frederick). Motions referred to David S. Cayer. (Entered: 12/09/2020)
12/09/2020	<u>I</u>	TEXT-ONLY ORDER granting <u>15</u> Motion for Extension of Time to File Response/Reply re <u>12</u> MOTION to Dismiss or Transfer Under 28 U.S.C. Section 1406(A) or, Alternatively, Transfer Under 28 U.S.C. Section 1404(A). Replies due by 12/18/2020. So Ordered. Entered by Magistrate Judge David S. Cayer on 12/9/2020. (DLG) (Entered: 12/09/2020)
12/18/2020	<u>I</u> <u>16</u>	RESPONSE in Support re <u>12</u> MOTION to Dismiss or Transfer Under 28 U.S.C. Section 1406(A) or, Alternatively, Transfer Under 28 U.S.C. Section 1404(A) by Citrix Systems, Inc.. (Smith, Frederick) (Entered: 12/18/2020)
01/29/2021	<u>I</u> <u>17</u>	MEMORANDUM AND ORDER The <u>12</u> Motion to Dismiss Under 28 U.S.C. § 1406(a) is administratively DENIED and the Motion to Transfer Venue Under 28 U.S.C. § 1404(a) is GRANTED as set forth herein. Signed by Magistrate Judge David S. Cayer on 1/29/2021. (mek) (Entered: 01/29/2021)